



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

915 L STREET ■ NINTH FLOOR ■ SACRAMENTO CA ■ 95814-3706 ■ (916) 445-9694

**NOTICE OF MEETING  
STATE PUBLIC WORKS BOARD**

**Wednesday, May 20, 2015, at 3:00 p.m. in the Cedar  
Room, 915 L Street, Sacramento, California**

**AGENDA**

- |             |             |      |    |
|-------------|-------------|------|----|
| <b>I.</b>   | Roll Call   |      |    |
| <b>II.</b>  | Action Item | Page | 02 |
| <b>III.</b> | Reportables | Page | 24 |

---

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Aurelia Bethea at (916) 445-9694 or e-mail to [aurelia.bethea@dof.ca.gov](mailto:aurelia.bethea@dof.ca.gov) five days prior to the meeting.

## ACTION ITEMS

### ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
FRESNO AND TULARE COUNTIES**

Eight Parcels listed in Exhibit A

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)  
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)  
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)*

**Consider approving site selection for the following parcels where a review of a larger acquisition parcel or design development identified the need to site select an additional Assessor's Parcel Number (APN) or where a parcel was site-selected at previous Board meetings with an outdated or incorrect APN.**

Exhibit A of Action Item 1	
Construction Package 1 - Fresno County	
High Speed Rail Authority	Assessor
Parcel Number	
MF-10-0229	504-050-23U
FB-10-0756	449-180-11
FB-10-0756	449-180-12
FB-10-0757	449-070-03T
FB-10-0653	478-290-18
FB-10-0219	328-290-27
FB-10-0219	335-031-23
Construction Package 2-3 - Tulare County	
FB-54-0359	291-060-025

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Fresno and Tulare Counties

Action Requested

**If approved, the requested action would approve site selection for the following parcels where a review of a larger acquisition parcel or design development identified the need to site select an additional Assessor's Parcel Number (APN) or where a parcel was site-selected at previous Board meetings with an outdated or incorrect APN.**

### Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, and the construction of dozens of grade separations, and multiple bridges and viaducts. The IOS-1, also referred to as the First Construction Segment, is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

### Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for acquisition of approximately 1,300 parcels and the construction of the 120-mile IOS-1.

### Background

To date, the Board has site-selected 1,172 parcels comprising the northernmost approximately 94 miles of the IOS-1 plus 3 miles at the City of Shafter. Of the eight Assessor Parcel Numbers (APNs) that are the subject of this site selection, three are uneconomic remnants adjacent to a larger overall parcel, four are due to additional design related to either Golden State Boulevard or the portion of the project near the Herndon canal, and one updates the APN to match the current assessor map.

The parcels subject to this site selection are within either the Merced to Fresno or Fresno to Bakersfield design segment. For these two design segments, the CEQA and NEPA processes were completed in 2012 and 2014, respectively. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

Site selection for a transportation corridor, highway or rail alignment differs from traditional single-parcel Board requests. Parcels required for highway and rail alignments involve several miles comprising a longitudinal corridor, rather than a single, specific parcel where other location options may be considered. Because of the type of infrastructure for this project it is not possible to simply reject a parcel and move to the right or left. For instance, a high-speed train travelling at 200+ miles per hour requires 4 to 5 miles to perform a 90-degree turn. The alignment, as determined through the environmental processes, determines the sites that must be acquired.

**Staff Recommendation:**      **Approve site selection for the following parcels where a review of a larger acquisition parcel or design development identified the need to site select an additional Assessor's Parcel Number (APN) or where a parcel was site-selected at previous Board meetings with an outdated or incorrect APN.**

## ACTION ITEMS

### ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)**  
**INITIAL OPERATING SEGMENT, SECTION 1**  
**TULARE AND KERN COUNTIES**  
 101 Parcels listed in Exhibit A

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)*  
*Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)*  
*Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)*

**Consider approving site selection of 101 assessor's parcels in full and/or in part.**

<b>Exhibit A of Action Item 2</b>	
<b>Construction Package 4 - Tulare County</b>	
<b>Start of CP4 to Tulare-Kern County Line</b>	
High Speed Rail Authority	Assessor
Parcel Number	
FB-54-0751	333-062-001
FB-54-0751	333-072-001
FB-54-0752	333-065-005
FB-54-0753	333-065-004
FB-54-0755	333-065-023
FB-54-0755	333-065-027
FB-54-0756	333-065-042
FB-54-0757	333-065-043
<b>Construction Package 4 - Kern County</b>	
<b>Tulare-Kern County Line to McCombs Avenue</b>	
FB-15-0001	047-050-04
FB-15-0001	047-050-05
FB-15-0001	047-050-06
FB-15-0002	047-040-04
FB-15-0003	047-110-01
FB-15-0003	047-110-02
FB-15-0003	047-110-03
FB-15-0003	047-110-12
FB-15-0003	047-110-13
FB-15-0003	047-120-02

<b>Exhibit A of Action Item 2 Continued</b>	
<b>Authority Parcel Number</b>	<b>Assessor Parcel Number</b>
FB-15-0003	047-120-04
FB-15-0003	047-120-15
FB-15-0003	047-130-07
FB-15-0003	047-130-08
FB-15-0003	047-130-09
FB-15-0003	047-130-10
FB-15-0003	047-130-11
FB-15-0003	047-130-12
FB-15-0003	047-130-13
FB-15-0003	047-130-14
FB-15-0003	047-130-15
FB-15-0006	047-190-01
FB-15-0006	047-190-02
FB-15-0007	047-220-02
FB-15-0008	047-220-03
FB-15-0009	047-220-10
FB-15-0010	047-220-12
FB-15-0010	047-220-13
FB-15-0011	047-220-08
FB-15-0011	047-220-24
FB-15-0012	047-220-07
FB-15-0013	047-290-10
FB-15-0014	047-290-11
FB-15-0015	047-290-12
FB-15-0016	047-260-19
FB-15-0016	047-260-20
FB-15-0016	047-260-21
FB-15-0016	047-260-22
FB-15-0017	047-340-32
FB-15-0018	047-350-02
FB-15-0019	047-350-03
FB-15-0019	047-350-04
FB-15-0020	047-350-19
FB-15-0021	047-350-06
FB-15-0022	047-350-08

<b>Exhibit A of Action Item 2 Continued</b>	
<b>Authority Parcel Number</b>	<b>Assessor Parcel Number</b>
FB-15-0023	059-210-03
FB-15-0023	059-210-36
FB-15-0024	059-210-21
FB-15-0025	059-210-35
FB-15-0026	059-251-13
FB-15-0026	059-251-14
FB-15-0026	059-251-15
FB-15-0027	059-251-17
FB-15-0028	059-252-05
FB-15-0029	059-252-06
FB-15-0031	059-280-30
FB-15-0032	059-280-31
FB-15-0033	059-280-26
FB-15-0033	059-280-27
FB-15-0033	059-280-56
FB-15-0034	060-140-32
FB-15-0035	059-280-57
FB-15-0036	060-140-16
FB-15-0036	060-140-17
FB-15-0037	059-280-73
<b>Construction Package 4 - Kern County</b>	
<b>Jackson Avenue to Poplar Avenue</b>	
FB-15-0305	072-120-01
FB-15-0305	072-120-06
FB-15-0305	072-120-17
FB-15-0302	071-050-07
FB-15-0303	071-050-27
FB-15-0306	072-120-05
FB-15-0311	072-120-15
FB-15-0312	072-170-29
FB-15-0313	072-170-03
FB-15-0313	072-170-35
FB-15-0307 & FB-15-0308	072-120-04
FB-15-0352	072-170-34

<b>Exhibit A of Action Item 2 Continued</b>	
<b>Authority Parcel Number</b>	<b>Assessor Parcel Number</b>
FB-15-0352	072-170-18
FB-15-0309	072-120-10
FB-15-0303	072-170-09
FB-15-0316	072-180-01
FB-15-0317	072-180-03
FB-15-0316	072-190-03
FB-15-0319	072-200-05
FB-15-0320	072-180-15
FB-15-0320	072-180-07
FB-15-0322	089-070-23
FB-15-0321	089-070-43
FB-15-0321	089-070-44
FB-15-0303	026-010-17
FB-15-0303	072-180-21
FB-15-0319	072-180-05
FB-15-0319	072-180-19

## ACTION ITEMS

### STAFF ANALYSIS ITEM—2

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Fresno, Kings, and Tulare Counties

#### Action Requested

**If approved, the requested action would approve site selection of 101 assessor's parcels in full and/or in part.**

#### Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, and the construction of dozens of grade separations, and multiple bridges and viaducts. The IOS-1, also referred to as the First Construction Segment, is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

### Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for acquisition of approximately 1,300 parcels and the construction of the 120-mile IOS-1.

### Background

To date, but not including the previous agenda item, the Board has site-selected 1,172 parcels comprising the northernmost approximately 94 miles of the IOS-1 plus 3 miles at City of Shafter. The 101 properties that are the subject of this site selection lie will extend the IOS 1 by 19 miles and includes sections from one mile north of the Tulare/Kern county line to McCombs Avenue and Jackson Avenue to Poplar Avenue within Kern County.

The parcels subject to this site selection are within the Fresno to Bakersfield segment. For this segment, the CEQA Notice of Determination was filed on May 8, 2014, and the associated Federal Record of Decision was released by the Federal Railroad Administration on June 27, 2014, thereby completing the NEPA process. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

Site selection for a transportation corridor, highway or rail alignment differs from traditional single-parcel Board requests. Parcels required for highway and rail alignments involve several miles comprising a longitudinal corridor, rather than a single, specific parcel where other location options may be considered. Because of the type of infrastructure for this project it is not possible to simply reject a parcel and move to the right or left. For instance, a high-speed train travelling at 200+ miles per hour requires 4 to 5 miles to perform a 90-degree turn. The alignment, as determined through the environmental processes, determines the sites that must be acquired.

**Staff Recommendation:**      **Approve site selection of 101 assessor's parcels in full and/or in part.**



## ACTION ITEMS

### ACTION ITEM—3

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
FRESNO COUNTY**

Assessor's Parcel Numbers: 458-010-17U, 465-040-36U, 467-030-22U, 467-030-32U,  
467-030-34U, 467-040-21U, 467-050-24U, and 467-020-50U

Authority's Parcel Numbers: FB-10-0104, FB-10-0128, FB-10-0132, FB-10-0141, FB-10-0142,  
FB-10-0151, FB-10-0173, and FB-10-0174

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)  
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)  
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)*

**Consider approving an Easement Acquisition Agreement for eight Union Pacific Railroad parcels.**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—3

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Fresno County

Action Requested

**If approved, the requested action would approve an Easement Acquisition Agreement for eight Union Pacific Railroad parcels.**

Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, and the construction of dozens of grade separations, and multiple bridges and viaducts. The IOS-1, also referred to as the First Construction Segment, is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Assessor's parcels 458-010-17U, 465-040-36U, 467-030-22U, 467-030-32U, 467-030-34U, 467-040-21U, and 467-050-24U were among those parcels site selected on January 14, 2013, and parcel 467-020-50U was site selected on April 11, 2014. These parcels are under the same ownership by the Union Pacific Railroad (Owner).

#### Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for acquisition of approximately 1,300 parcels and the construction of the 120-mile IOS-1.

#### CEQA

In order to choose the HSTS preferred alignment and identify the parcels to be acquired, the Authority, in accordance with CEQA and the National Environmental Protection Act (NEPA), has completed and certified both a Program level and Project level Environmental Impact Report/Environmental Impact Statement (EIR/EIS). The parcels subject to this Easement Acquisition Agreement are within either the Merced to Fresno or Fresno to Bakersfield design segment. For these two design segments, the CEQA and NEPA processes were completed in 2012 and 2014, respectively.

#### Other:

- On November 6, 2012, the SPWB adopted a resolution to delegate acquisition approval for HSTS acquisitions that conform to an SPWB-approved standard contract with non-substantive changes. Due to the multiple parcels being acquired and the complexity of the agreement between the Owner and the Authority, this contract falls outside of the delegation and requires board approval.
- Further price modifications may be necessary upon completion of environmental testing. The Authority and the Owner agree to negotiate an adjustment to the purchase price of the listed parcels to reflect any reasonable anticipated costs and liabilities associated with hazardous material. The aggregate amount of the purchase price adjustments for remediation may not exceed the purchase price of the acquired property negotiated, agreed on and presented here.
- The Owner is agreeing to a permanent easement to be used by the Authority. After commencement of rail operations, the Authority would have exclusive use for design, construction, testing and operations. At that time, the Owner will quitclaim any remaining rights, including fee simple, to the Authority.

**Staff Recommendation: Approve an Easement Acquisition Agreement for eight Union Pacific Railroad parcels.**

## ACTION ITEMS

### ACTION ITEMS—4

#### **CALIFORNIA HIGH-SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 TULARE AND KERN COUNTIES**

Authority: *Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)*  
*Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)*  
*Chapter 20, Statutes of 2013, Item 2665-301-0890 (1)*  
*Chapter 20, Statutes of 2013, Item 2665-301-6043 (1)*  
*Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)*  
*Section 13332.19 of the Government Code*

The Initial Operating Segment, Section 1 (IOS-1), also referred to as the First Construction Segment (FCS), is the first phase of the building of the California High-Speed Rail System (System) and will provide the track and structures to support the system's backbone. The IOS-1 is broken into multiple Construction Packages for design-build solicitation purposes.

The requested action is to consider approving the performance criteria and concept drawings for the third design-build contract, designated as Construction Package 4 (CP 4). CP 4 extends approximately 22 miles from one mile north of the Tulare-Kern County Line to the north to Poplar Avenue in Kern County.

**Consider approving performance criteria and concept drawings for Construction Package 4 of the Initial Operating Segment, Section 1.**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—4

California High-Speed Rail Authority  
Initial Operating Segment, Section 1  
Tulare and Kern Counties

#### Action Requested

**The requested action would approve the performance criteria and concept drawings for Construction Package 4 of the Initial Operating Segment, Section 1 (IOS-1), of the California High-Speed Rail System.**

#### Scope Description

**This project is within scope.** The California High-Speed Rail System (System) consists of Phase 1, which would provide approximately 520 miles of the System extending from San Francisco to Los Angeles/Anaheim; and Phase 2 which would extend to Sacramento and San Diego. For purposes of environmental work and the development of performance criteria and

concept drawings, the System was initially divided into 10 geographical segments. One of these segments, Fresno to Bakersfield, is the location of the project and the basis of this request to approve performance criteria and concept drawings. Construction Package 4 (CP 4) is entirely contained within this segment. Further, the performance criteria and concept drawings are the specifications included in the design-build solicitation package that will be released to the design-build teams approved to compete for the contract.

The FCS is the first phase of the System and provides the track and structures to support the System's spine. It will be approximately 120 miles in length and will require the acquisition of approximately 1,300 parcels of land in the Madera, Fresno, Kings, Tulare and Kern counties.

The FCS is further broken into four sections for design-build solicitation purposes to develop the infrastructure and grading necessary for track work. These sections are called construction packages and are numbered sequentially. Also, there is a fifth construction package for track work across the four sections that comprise the FCS. CP 4 will extend approximately 22 miles in length through the Central Valley from one mile north of the Tulare-Kern County line to Poplar Avenue in the south. A map of the CP 4 can be found at [http://www.hsr.ca.gov/docs/programs/construction/CP4\\_Poplar\\_Ave.pdf](http://www.hsr.ca.gov/docs/programs/construction/CP4_Poplar_Ave.pdf). The package will include at-grade and aerial structures, such as viaducts, bridges, underpass and overhead structures. The proposed design-build contract is structured to require the Authority to provide a Notice to Proceed (NTP) prior to commencement of work related to design and construction.

The documents that comprise the performance criteria and concept drawings can be found at the following locations:

Scope of Work

[http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg\\_051215\\_P14\\_32\\_IC01\\_CP4\\_Scope\\_of\\_Work.pdf](http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg_051215_P14_32_IC01_CP4_Scope_of_Work.pdf)

Basis of Design Policy

[http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg\\_051215\\_P14\\_32\\_IVC03\\_Basis\\_of\\_Design\\_Policy.pdf](http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg_051215_P14_32_IVC03_Basis_of_Design_Policy.pdf)

Design Criteria Manual

[http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg\\_051215\\_P14\\_32\\_IIIA01\\_Design\\_Criteria\\_Manual.pdf](http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg_051215_P14_32_IIIA01_Design_Criteria_Manual.pdf)

Directive Drawings

[http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg\\_051215\\_P14\\_32\\_IIIB01\\_Directive\\_Drawings.pdf](http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg_051215_P14_32_IIIB01_Directive_Drawings.pdf)

Standard Specifications

[http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg\\_051215\\_P14\\_32\\_RMA01\\_Standard\\_Specifications.pdf](http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg_051215_P14_32_RMA01_Standard_Specifications.pdf)

Standard Drawings

[http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg\\_051215\\_P14\\_32\\_RMA02\\_Standard\\_Drawings.pdf](http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg_051215_P14_32_RMA02_Standard_Drawings.pdf)

Preliminary Design Plans

[http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg\\_051215\\_P14\\_32\\_RMB01\\_15p\\_Preliminary\\_Design\\_Plans.pdf](http://www.hsr.ca.gov/docs/brdmeetings/2015/brdmtg_051215_P14_32_RMB01_15p_Preliminary_Design_Plans.pdf)

### Funding and Cost Verification

**This project is within cost.** The passage of Proposition 1a in 2008 provided \$9.0 billion in High-Speed Passenger Train general obligation bonds (HST bonds) for the Authority. The Budget Acts of 2010, 2011, 2012 and 2014 plus Executive Orders C 11/12-17 and C 11/12-18 a cumulative \$636 million to date in HST bonds, federal funds, and Cap and Trade funds for acquisition (environmental review) and preliminary design (development of performance criteria) of both Phase 1 and Phase 2 of the System. The 2012 and 2014 Budget Acts appropriated \$6.04 billion in HST bonds, federal funds and Cap and Trade funds for right-of-way acquisition and construction of the FCS.

In the table below, the total estimated project costs reflect the FCS:

\$6,676,400,000	total authorized project costs
\$6,346,800,000	total estimated project costs: \$624,000,000 systemwide planning and environmental, \$5,722,800,000 IOS-1 acquisition and construction
\$4,941,200,000	project costs previously allocated: \$624,000,000 systemwide planning and environmental, \$2,013,100,000 CP 1/SR 99 realignment acquisition and construction, \$2,304,100,000 CP 2-3 acquisition and construction
\$ 586,700,000	project costs to be allocated for CP 4: \$586,700,000(\$170,300,000 acquisition, \$392,800,000 contract, \$23,600,000 contract management) Note: CP4 contingency and third party costs to be determined later
\$ 818,900,000	project costs to be allocated for CP5, projects reserves and unallocated contingency.
\$ 329,600,000	project savings

### CEQA AND NEPA

A blended CEQA/NEPA environmental document is prepared for the project. The Authority Board certified the Final EIR/EIS on May 7, 2014 and filed a Notice of Determination with the State Clearinghouse on May 8, 2014 for the Fresno to Bakersfield segment, which includes Construction Package 4. The FRA issued its Record of Decision on June 27, 2014.

### Real Estate Due Diligence:

A certain level of due diligence will be performed prior to acquisition of each parcel along the FCS in order to set just compensation. Construction can only take place on acquired parcels.

### Project Anticipated Schedule

Approve performance criteria/concept drawings	May 2015
Issue design-build solicitation	May 2015
Award design-build contract	December 2015
Complete construction	December 2018

## Other

- The approval of the performance criteria and concept drawings is necessary at this time in order to maximize the likelihood that the Authority will be able to expend the allocated Federal American Recovery and Reinvestment Act (ARRA) funds. Any funds not expended and reimbursed by ARRA by September 30, 2017 would be lost. The process to select a design-build contractor and award a contract will take approximately six months from late May to early December and an additional month to award NTP in January of 2016. Complicated components of this project, such as bridges and viaducts, can take multiple years to design and construct. It is anticipated that the Authority will have Federal funding authority for CP 4. However, the Request for Proposals (RFP) contains language that an award is subject to cancellation for any reason. Specifically, in the RFP's Instructions to Proposers, Section 6.13(a) of the "Authority's Reserved Rights" section, provides as follows:

"The Authority reserves to itself all rights available to it under applicable law, including without limitation, the following, with or without cause and with or without notice: a. Modify, withdraw or cancel this RFP in whole or in part at any time prior to the execution of the Contract by the Authority, without incurring any costs obligations or liabilities."...

- Proposition 1a requires the Authority to submit funding plans to request certain capital cost funding and to expend it. The most recently approved Business Plan was released in April 2014 and continues to reflect the FCS as the backbone of the System and a necessary step to construction, and therefore, supports the need for the release of the RFP for CP 4 in as timely a manner as possible.

**Staff Recommendation:**      **Approve the performance criteria and concept drawings for Construction Package 4 of the IOS-1 of the California High-Speed Rail System.**

## ACTION ITEMS

### ACTION ITEM—5

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
MADERA, FRESNO, KINGS AND TULARE COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)  
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)  
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)  
Section 15854 of the Government Code*

**Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:**

- 1. Thomason Property (Fresno County)**  
Authority Parcel Numbers: FB-10-0245-1, FB-10-0245-2, FB-10-0246-1, FB-10-0246-2, FB-10-0246-3, FB-10-0247-1, FB-10-0247-2, FB-10-0247-3, FB-10-0247-4, FB-10-0248-1, FB-10-0248-2, FB-10-0250-1, FB-10-0250-3, FB-10-0250-01-01, FB-10-0590-1, FB-10-0590-2, FB-10-0591-1, and FB-10-0591-2  
Assessor Parcel Numbers: 487-180-04, 487-180-05, 487-180-06, 487-180-08, 487-180-09, 487-180-10, and 487-180-13
- 2. Dias 1 Property (Kings County)**  
Authority Parcel Numbers: FB-16-0072-1, FB-16-0072-2, FB-16-0072-3, FB-16-0072-4, FB-16-0072-5, FB-16-0072-01-01  
Assessor Parcel Numbers: 014-130-089, 014-130-090, 014-130-091, 014-130-092, 014-130-093, 014-130-094, and 014-130-095
- 3. Dias 2 Property (Kings County)**  
Authority Parcel Numbers: FB-16-0145-1, FB-16-0145-2, FB-16-0145-3, FB-16-0145-01-01, and FB-16-0145-02-01  
Assessor Parcel Number: 014-260-029
- 4. Leal Property (Kings County)**  
Authority Parcel Numbers: FB-16-0171-1 and FB-16-0171-01-01  
Assessor Parcel Number: 016-200-031
- 5. A. Barcellos Property (Kings County)**  
Authority Parcel Number: FB-16-0278-1  
Assessor Parcel Number: 028-202-016
- 6. L Barcellos Property (Kings County)**  
Authority Parcel Numbers: FB-16-0059-1 and FB-16-0059-2  
Assessor Parcel Number: 014-060-006

7. **Schakel Family Property (Tulare County)**  
Authority Parcel Numbers: FB-54-0367-1, FB-54-0367-2 and FB-54-0368-1  
Assessor Parcel Numbers: 311-030-009 and 293-200-008
8. **Mesa Verde Farms Property (Madera County)**  
Authority Parcel Numbers: MF-20-0934-1 and MF-20-0936-1  
Assessor Parcel Numbers: 047-070-013 and 047-070-014
9. **Strong Capital Property (Madera County)**  
Authority Parcel Number: MF-20-0957-1  
Assessor Parcel Number: 035-162-032
10. **Shahbazian Property (Fresno County)**  
Authority Parcel Number: FB-10-0283-1  
Assessor Parcel Number: 334-040-88
11. **Marquez Property (Fresno County)**  
Authority Parcel Numbers: FB-10-0728-1 and FB-10-0728-2  
Assessor Parcel Number: 385-170-11
12. **Beck Property (Kings County)**  
Authority Parcel Numbers: FB-16-0320-1, FB-16-0320-01-01 and FB-16-0320-02-01  
Assessor Parcel Number: 034-015-014
13. **J.G. Mulligan Property (Fresno County)**  
Authority Parcel Numbers: FB-10-0725-1, FB-10-0725-01-01 and FB-10-0725-02-01  
Assessor Parcel Number: 385-200-11
14. **Leal 2 Property (Kings County)**  
Authority Parcel Numbers: FB-16-0153-1, FB-16-0152-2, FB-16-0153-3, FB-16-0153-4, FB-16-0153-01-01, FB-16-0180-1, and FB-16-0348-1  
Assessor Parcel Numbers: 016-130-053, 016-130-058, and 016-130-059
15. **Ventura Property (Kings County)**  
Authority Parcel Number: FB-16-0279-1  
Assessor Parcel Number: 028-202-014
16. **Schakel Family 2 Property (Tulare County)**  
Authority Parcel Numbers: FB-54-0370-1 and FB-54-0373-1  
Assessor Parcel Numbers: 311-030-024 and 311-040-022
17. **Hayes Property (Tulare County)**  
Authority Parcel Numbers: FB-54-0890-1 and FB-54-0890-2  
Assessor Parcel Number: 333-101-064
18. **Buchnoff Property (Madera County)**  
Authority Parcel Numbers: MF-20-0905-1, MF-20-0905-2, MF-20-0905-3, and MF-20-0905-01-01  
Assessor Parcel Number: 048-080-004



19. Vasquez Property (Fresno County)  
Authority Parcel Numbers: FB-10-0721-1 and FB-10-0721-2  
Assessor Parcel Number: 042-230-16
20. J.L. Fragoso Cattle W Property (Kings County)  
Authority Parcel Numbers: FB-16-0173-1 and FB-16-0173-2  
Assessor Parcel Number: 016-200-033
21. Carranza Property (Kings County)  
Authority Parcel Numbers: FB-16-0299-1 and FB-16-0299-01-01  
Assessor Parcel Number: 034-070-004
22. Keeney Property (Kings County)  
Authority Parcel Numbers: FB-16-0302-1, FB-16-0302-2, FB-16-0302-01-01, and  
FB-16-0302-02-01  
Assessor Parcel Number: 034-070-006
23. Jackson Property (Kings County)  
Authority Parcel Numbers: FB-16-0308-1, FB-16-0308-2, FB-16-0308-3, and  
FB-16-0308-01-01  
Assessor Parcel Number: 034-040-008

## ACTION ITEMS

### STAFF ANALYSIS ITEM—5

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Madera, Fresno, Kings and Tulare Counties

#### Action Requested

**If approved, the requested action would adopt 23 Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 115 acres.**

#### Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 130 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,300 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

### Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1.

### Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record or in the case of Property 17, Hayes, the offer has not been made because the owner could not be located with reasonable diligence.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to near Bakersfield.

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an extensive environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between June 2014 and March 2015, the various owners, with the exception of Hayes who could not be located, were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On May 1, and 2, 2015, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Thomason Property (Fresno County)

Authority Parcel Numbers: FB-10-0245-1, FB-10-0245-2, FB-10-0246-1, FB-10-0246-2, FB-10-0246-3, FB-10-0247-1, FB-10-0247-2, FB-10-0247-3, FB-10-0247-4, FB-10-0248-1, FB-10-0248-2, FB-10-0250-1, FB-10-0250-3, FB-10-0250-01-01, FB-10-0590-1, FB-10-0590-2, FB-10-0591-1, and FB-10-0591-2

Assessor Parcel Numbers: 487-180-04, 487-180-05, 487-180-06, 487-180-08, 487-180-09, 487-180-10, and 487-180-13

Partial Acquisition: 1.20 acres total (0.82 acre in fee, 0.38 acre in permanent easement)

This property will be needed for the construction of the HSTS in the vicinity of E. North Avenue.

2. Dias 1 Property (Kings County)

Authority Parcel Numbers: FB-16-0072-1, FB-16-0072-2, FB-16-0072-3, FB-16-0072-4, FB-16-0072-5, FB-16-0072-01-01

Assessor Parcel Numbers: 014-130-089, 014-130-090, 014-130-091, 014-130-092, 014-130-093, 014-130-094, and 014-130-095

Partial Acquisition: 6.58 acres total (5.59 acres in fee, 0.61 acre in permanent easement, 0.38 acre TCE)

This property will be needed for the construction of the Fargo Avenue grade separation, the HSTS between Fargo Avenue and Grangeville Boulevard, roadway improvements on 7½ Avenue south of Fargo Avenue and an access easement south of Fargo Avenue.

3. Dias 2 Property (Kings County)

Authority Parcel Numbers: FB-16-0145-1, FB-16-0145-2, FB-16-0145-3, FB-16-0145-01-01, and FB-16-0145-02-01

Assessor Parcel Number: 014-260-029

Partial Acquisition: 7.57 acres total (7.27 acres in fee, 0.30 acre in permanent easement)

This property will be needed for the construction of the HSTS between Grangeville Boulevard and State Route 198 and an access easement adjacent to the HSTS.

4. Leal Property (Kings County)

Authority Parcel Numbers: FB-16-0171-1 and FB-16-0171-01-01

Assessor Parcel Number: 016-200-031

Partial Acquisition: 3.29 acres in fee

This property will be needed for the construction of the HSTS between Houston Avenue and Iona Avenue.

5. A. Barcellos Property (Kings County)  
Authority Parcel Number: FB-16-0278-1  
Assessor Parcel Number: 028-202-016  
Partial Acquisition: 0.10 acre in fee

This property will be needed for the construction of the Kansas Avenue grade separation.

6. L Barcellos Property (Kings County)  
Authority Parcel Numbers: FB-16-0059-1 and FB-16-0059-2  
Assessor Parcel Number: 014-060-006  
Partial Acquisition: 6.17 acres total (5.44 acres in fee, 0.73 acre in permanent easement)

This property will be needed for the construction of the Flint Avenue grade separation.

7. Schakel Family Property (Tulare County)  
Authority Parcel Numbers: FB-54-0367-1, FB-54-0367-2 and FB-54-0368-1  
Assessor Parcel Numbers: 311-030-009 and 293-200-008  
Partial Acquisition: 12.76 acres total (12.43 acres in fee, 0.33 TCE)

This property will be needed for the construction of the HSTS between Road 48 and Avenue 96.

8. Mesa Verde Farms Property (Madera County)  
Authority Parcel Numbers: MF-20-0934-1 and MF-20-0936-1  
Assessor Parcel Numbers: 047-070-013 and 047-070-014  
Partial Acquisition: 7.43 acres in fee

This property will be needed for the construction of the HSTS between Avenue 13 and Avenue 12.

9. Strong Capital Property (Madera County)  
Authority Parcel Number: MF-20-0957-1  
Assessor Parcel Number: 035-162-032  
Partial Acquisition: 0.04 acre in fee

This property will be needed for the construction of the Avenue 15 grade separation.

10. Shahbazian Property (Fresno County)  
Authority Parcel Number: FB-10-0283-1  
Assessor Parcel Number: 334-040-88  
Partial Acquisition: 2.59 acres in fee

This property will be needed for the construction of the E. American Avenue grade separation.

11. Marquez Property (Fresno County)

Authority Parcel Numbers: FB-10-0728-1 and FB-10-0728-2

Assessor Parcel Number: 385-170-11

Partial Acquisition: 0.48 acre in fee

This property will be needed for the construction of the S. Clovis Avenue grade separation.

12. Beck Property (Kings County)

Authority Parcel Numbers: FB-16-0320-1, FB-16-0320-01-01 and FB-16-0320-02-01

Assessor Parcel Number: 034-015-014

Full Acquisition: 2.71 acres in fee

This property will be needed for the construction of the HSTS between 5<sup>th</sup> Avenue and the Sweet Canal.

13. J.G. Mulligan Property (Fresno County)

Authority Parcel Numbers: FB-10-0725-1, FB-10-0725-01-01 and FB-10-0725-02-01

Assessor Parcel Number: 385-200-11

Full Acquisition: 0.17 acre in fee

This property will be needed for the construction of the HSTS in the vicinity of S. Topeka Avenue and S. Peach Avenue.

14. Leal 2 Property (Kings County)

Authority Parcel Numbers: FB-16-0153-1, FB-16-0152-2, FB-16-0153-3,

FB-16-0153-4, FB-16-0153-01-01, FB-16-0180-1, and FB-16-0348-1

Assessor Parcel Numbers: 016-130-053, 016-130-058, and 016-130-059

Partial Acquisition: 19.21 acres total (17.32 acres in fee, 1.89 in permanent easement)

This property will be needed for the construction of the Houston Avenue grade separation and the HSTS between Houston Avenue and Hanford Armona Road.

15. Ventura Property (Kings County)

Authority Parcel Number: FB-16-0279-1

Assessor Parcel Number: 028-202-014

Partial Acquisition: 0.22 acre in fee

This property will be needed for the construction of the Kansas Avenue grade separation.

16. Schakel Family 2 Property (Tulare County)

Authority Parcel Numbers: FB-54-0370-1 and FB-54-0373-1

Assessor Parcel Numbers: 311-030-024 and 311-040-022

Partial Acquisition: 17.31 acres in fee

This property will be needed for the construction of the Avenue 88 grade separation and Avenue 88 roadway improvements.

17. Hayes Property (Tulare County)

Authority Parcel Numbers: FB-54-0890-1 and FB-54-0890-2

Assessor Parcel Number: 333-101-064

Full Acquisition: 1.05 acres total (0.75 acre in fee, 0.30 acre in permanent easement)

This property will be needed for the construction of the HSTS between Avenue 8 and Avenue 16, and an access easement adjacent to the HSTS.

18. Buchnoff Property (Madera County)

Authority Parcel Numbers: MF-20-0905-1, MF-20-0905-2, MF-20-0905-3, and MF-20-0905-01-01

Assessor Parcel Number: 048-080-004

Partial Acquisition: 23.53 acres in fee

This property will be needed for the construction of the Avenue 8 grade separation and the HSTS between Avenue 8 and Avenue 9.

19. Vasquez Property (Fresno County)

Authority Parcel Numbers: FB-10-0721-1 and FB-10-0721-2

Assessor Parcel Number: 042-230-16

Partial Acquisition: 0.35 acre total (0.35 acre in fee, < 0.01 in TCE)

This property will be needed for the construction of the Floral Avenue grade separation.

20. J.L. Fragoso Cattle W Property (Kings County)

Authority Parcel Numbers: FB-16-0173-1 and FB-16-0173-2

Assessor Parcel Number: 016-200-033

Partial Acquisition: 0.03 acre total (0.03 acre in fee, < 0.01 acre in TCE)

This property will be needed for the construction of the Houston Avenue grade separation.

21. Carranza Property (Kings County)

Authority Parcel Numbers: FB-16-0299-1 and FB-16-0299-01-01

Assessor Parcel Number: 034-070-004

Full Acquisition: 0.86 acre in fee

This property will be needed for the construction of the HSTS between Newark Avenue and S. 5½ Avenue.

22. Keeney Property (Kings County)

Authority Parcel Numbers: FB-16-0302-1, FB-16-0302-2, FB-16-0302-01-01, and FB-16-0302-02-01

Assessor Parcel Number: 034-070-006

Full Acquisition: 0.86 acre in fee

This property will be needed for the construction of the HSTS between Newark Avenue and S. 5½ Avenue.

23. Jackson Property (Kings County)

Authority Parcel Numbers: FB-16-0308-1, FB-16-0308-2, FB-16-0308-3, and FB-16-0308-01-01

Assessor Parcel Number: 034-040-008

Full Acquisition: 0.99 acre in fee

This property will be needed for the construction of the HSTS between Niles Avenue and S. 5½ Avenue.

**Staff Recommendation:**      **Adopt 23 Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 115 acres.**

## REPORTABLES

**NONE**